

Notice of Allowability

Application No.

10/517,660

Examiner

Yaritza Guadalupe McCall

Applicant(s)

MCMURTRY ET AL.

Art Unit

2859

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Application filed December 13, 2004.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 12/13/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Yaritza Guadalupe-McCall

DETAILED ACTION

Reasons for Allowance

1. The following is an examiner's statement of reasons for allowance:
 - a. Claims 1– 6 are allowable over the Prior Art of Record because it fails to teach or suggest a coordinate measurement machine comprising an engagement comprising two mutually engageable portions, one on the first part and one on the rotatable member; wherein a first one of said portions of the engagement comprises a holder for holding the other one of said portions in engagement therewith; and wherein the said one of the portions of the engagement on the rotatable member is spaced from the stylus tip in combination with the remaining limitations of the claims.
 - b. Claims 7– 13 and 17 are allowable over the Prior Art of Record because it fails to teach or suggest a measurement device comprising an engagement comprising two mutually engageable portions, one on the movable member and one on the stylus repositioning device; wherein a first one of the said portions of the engagement comprises a holder for holding the other one of the said portions in engagement therewith and wherein the said of the portions of the engagement on the rotatable member is spaced from the stylus tip in combination with the remaining limitations of the claims.

- c. Claims 14 – 16 and 18 are allowable over the Prior Art of Record because it fails to teach or suggest a method of re-orientating a measurement device mounted to a coordinate measurement machine, the coordinate measuring machine having a first portion of an engagement; further comprising a second portion of an engagement for mutual engagement with the first portion; one of the two portions of the engagement comprising a holder for holding the other one of the said portions in engagement therewith, the second portion of the engagement being spaced from the stylus tip, the method comprising the steps of moving the first and second parts in order to engage the first and second portions of the engagement and moving the second part relative to the first part in a path centered on the engagement thereby to reposition the stylus relative to the first and second parts in combination with the remaining limitations of the claims.
3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yaritza Guadalupe McCall whose telephone number is (571)272-2244. The examiner can normally be reached on 8:00 AM - 5:30 PM.

Art Unit: 2859

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F.F. Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YGM
April 10, 2006
Art Unit 2859



YARITZA GUADALUPE-MCCALL
PRIMARY EXAMINER